

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

---

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT  
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-L and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in these actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/ Barbara R. Binis  
Barbara R. Binis  
REED SMITH  
Three Logan Square, Suite 3100  
1717 Arch Street  
Philadelphia, PA 19103  
215.851.8100 (phone)  
215.851.1420 (fax)  
bbinis@reedsmith.com

/s/ Erik W. Legg  
Erik W. Legg  
FARRELL WHITE & LEGG  
P. O. Box 6457  
Huntington, WV 25772-6457  
304.522.9100 (phone)  
304.522.9162 (fax)  
EWL@farrell3.com

*Attorneys for Defendant American Medical Systems, Inc.*

/s/ Bryan F. Aylstock

Bryan F. Aylstock  
AYLSTOCK WITKIN KREIS &  
OVERHOLTZ  
Suite 200  
17 East Main Street  
Pensacola, FL 32502  
850.202.1010 (phone)  
850.916.7449 (fax)  
baylstock@awkolaw.com  
*Attorney for Plaintiffs on Exhibit A*

/s/ Michael A. London

Michael A. London  
DOUGLAS & LONDON  
6th Floor  
59 Maiden Lane  
New York, NY 10038  
212.566.7500 (phone)  
212.566.7501 (fax)  
mlondon@douglasandlondon.com  
*Attorney for Plaintiffs on Exhibit B*

/s/ James R. Dugan , II

James R. Dugan, II  
DUGAN LAW FIRM  
Suite 1000  
One Canal Place  
365 Canal Street  
New Orleans, LA 70130  
504.648.0180 (phone)  
504.648.0181 (fax)  
jdugan@dugan-lawfirm.com  
*Attorney for Plaintiffs on Exhibit C*

/s/ Stewart J. Eisenberg

Stewart J. Eisenberg  
EISENBERG ROTHWEILER WINKLER  
EISENBERG & JECK  
1634 Spruce Street  
Philadelphia, PA 19103  
215.546.6636 (phone)  
215.546.0118 (fax)  
Rita@erlegal.com  
*Attorney for Plaintiffs on Exhibit D*

/s/ James C. Klick

James C. Klick  
HERMAN HERMAN & KATZ  
820 O'Keefe Avenue  
New Orleans, LA 70113  
504.581.4892 (phone)  
504/561-6024 (fax)  
jklick@hhklawfirm.com  
*Attorney for Plaintiffs on Exhibit E*

/s/ Michael Gallant

Michael Gallant  
KELLEY BERNHEIM & DOLINKSY  
Fourth Floor  
2200 Pennsylvania Avenue, NW  
Washington, DC 20037  
202.379.0680 (phone)  
202.379.0685 (fax)  
mgallant@kdbattorneys.com  
*Attorney for Plaintiff on Exhibit F*

/s/ Michael P. McGartland

Michael P. McGartland  
MCGARTLAND LAW FIRM  
Suite 500  
1300 South University Drive  
Fort Worth, TX 76107  
817.332.9300 (phone)  
817.332.9301 (fax)  
mike@mcartland.com  
*Attorney for Plaintiffs on Exhibit G*

/s/ Willard J. Moody , Jr.

Willard J. Moody, Jr.  
THE MOODY LAW FIRM  
P. O. Box 1138  
Portsmouth, VA 23705  
757.393.6020 (phone)  
757.399.3019 (fax)  
will@moodyrllaw.com  
*Attorney for Plaintiffs on Exhibit H*

/s/ Derek H. Potts

Derek H. Potts  
THE POTTS LAW FIRM  
Suite 350  
100 Waugh Drive  
Houston, TX 77007  
713.963.8881 (phone)  
713.583.5388 (fax)  
Email: dpotts@potts-law.com  
*Attorney for Plaintiffs on Exhibit I*

/s/ Michael G. Stag

Michael G. Stag  
SMITH STAG  
Suite 2800  
365 Canal Street  
New Orleans, LA 70130  
504.593.9600 (phone)  
504.593.9601 (fax)  
mstag@smithstag.com  
*Attorney for Plaintiffs on Exhibit J*

/s/ Andrew J. Fink

Andrew J. Fink  
SOLIS LAW FIRM  
5310 West Cermak Road  
Cicero, IL 60804  
708.795.0400 (phone)  
708.652.4711 (fax)  
transvaginal.mesh.solis@gmail.com  
*Attorney for Plaintiffs on Exhibit K*

/s/ Ryan L. Thompson

Ryan L. Thompson  
WATTS GUERRA CRAFT  
Suite 525  
5250 Prue Road  
San Antonio, TX 78240  
210.448.0500 (phone)  
210.448.0501 (fax)  
rlt-bulk@wattsguerra.com  
*Attorney for Plaintiff on Exhibit L*

Dated: October 5, 2016

**EXHIBIT A – AYLSTOCK, WITKIN, KREIS & OVERHOLTZ**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-cv-03926	Ruth N. Sexton v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-cv-00258	Doree Lea Myers v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-cv-05184	Laurie Virginia Stone v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT B – DOUGLAS & LONDON, P.C.**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:14-cv-22838	Diane Sylven, Steven Sylven v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT C – DUGAN LAW FIRM**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-cv-06541	Emily T. Leon, Andrew C. Leon v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT D – EISENBERG ROTHWEILER WINKLER EISENBERG & JECK**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:13-cv-24249	Deborah Freiss-Zito, Anthony Zito v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT E – HERMAN, HERMAN & KATZ, LLC**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-cv-02092	Gwendolyn M. Olivier and Armand Olivier v. Johnson & Johnson, Ethicon, Inc., and American Medical Systems, Inc.



**EXHIBIT F – KELLEY, BERNHEIM & DOLINSKY**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-cv-09446	Raquel C. Sau v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT G – MCGARTLAND**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:13-cv-29842	Carolyn Lee Barrow, Dale Barrow v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT H – MOODY LAW FIRM**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-cv-04636	Debra Orchard, Jeff Orchard v. Johnson & Johnson, Ethicon, Inc., American Medical Systems, Inc.
2:13-cv-11886	Malinda Zapalac v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-cv-17802	Denise Ryan v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT I – POTTS LAW FIRM**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:12-cv-03572	Janet Bowling and Robert Bowling v. Ethicon, Inc., Johnson & Johnson & American Medical Systems, Inc.

**EXHIBIT J – SMITH STAG**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:13-cv-14734	Teresa Earnest, Toby Earnest v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**EXHIBIT K – SOLIS LAW FIRM**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:13-cv-14634	Betsy Abad v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., Mentor Worldwide LLC
2:13-cv-15502	Eduarda Flores de Sosa, Juan Sosa v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-cv-17347	Maria Solano, Guadencio Solano v. Ethicon, Inc., Johnson & Johnson, Boston Scientific Corporation, American Medical Systems, Inc.

**EXHIBIT L – WATTS GUERRA**

<b>CIVIL ACTION NUMBER</b> (listed numerically in ascending order)	<b>CASE NAME</b>
2:13-cv-06697	Virginia Ferrell v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on October 5, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis